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S/N 10/021,993

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	David J. Vachon et al.	Examiner:	Kishor Mayekar
Serial No.:	10/021,993	Group Art Unit:	1753
Filed:	December 13, 2001	Docket:	G&C 130.1-US-C1
Title:	MICROELECTROGRAVIMETRICALLY PLATED BIOSENSORS AND APPARATUS FOR PRODUCING SAME		

CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being filed via facsimile transmission to the U.S. Patent and Trademark Office on June 15, 2004By: 
Name: Karen S. CanadyTERMINAL DISCLAIMER TO OBLIATE
A DOUBLE PATENTING REJECTION

Medtronic MiniMed, Inc., a corporation organized and existing under the laws of the State of Delaware, having its primary place of business at 18000 Devonshire Street, Northridge, California 91325-1219 in the State of California, represents that it is the owner of the entire right, title and interest in U.S. Patent Application Serial No. 10/021,993, filed December 13, 2001 and entitled MICROELECTROGRAVIMETRICALLY PLATED BIOSENSORS AND APPARATUS FOR PRODUCING SAME, by virtue of our assignment recorded at Reel 011053, Frame(s) 0602. Attached herewith is a Certificate Under 37 C.F.R. § 3.73(b) establishing Medtronic MiniMed, Inc.'s right as assignee to take action.

Medtronic MiniMed, Inc., hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term as presently shortened by any terminal disclaimer, of U.S. Patent No(s). 6,340,421 and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that it and U.S. Patent No(s). 6,340,421 are commonly owned. This agreement runs with any patent granted on the above-identified application and is binding upon the grantee, its successors, or assigns.

In making the above disclaimer, Medtronic MiniMed, Inc. does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of the United States

Patent No(s). 6,340,421, in the event that such issued patent expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certification, is reissued, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, as the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date June 14, 2004

By: 

Name: Paul H. Kovelman

Title: Vice President of Intellectual Property
and Patent Counsel